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TAGS: [PGOV](#) [PREL](#) [PHUM](#) [KJUS](#) [CB](#)

SUBJECT: LAND DISPUTE IN THE SHADOW OF THE NATIONAL ASSEMBLY

¶1. (U) Summary. On May 2, local authorities began the eviction of a 1,367-family community of squatters living near the Tonle Bassac River near the new National Assembly building in Phnom Penh. The community is due to be relocated to a new site that is 22 kilometers from Phnom Penh and inadequate for the needs of those being relocated. The majority losing their homes are renters who are being left homeless. NGO leader Kem Sokha is trying to contact the Prime Minister regarding the situation. End Summary.

BASSAC COMMUNE LAND ISSUE

¶2. (U) Some of the poorest of Phnom Penh's inhabitants live in small houses in the Tonle Bassac community of Sambok Chab, which has been in existence since 2001. The inhabitants are from Prey Veng, Svay Rieng, and Kampot provinces, as well as from other parts of Phnom Penh. Among its inhabitants are people selling sugar cane cubes on the streets of Phnom Penh and construction workers. Some of its inhabitants can best be described as indentured servants.

¶3. (U) With regards to the relocation, the community is divided. The minority favoring relocation are those who own land at the present site and have been promised land at the new site. The majority who oppose relocation are renting houses at the present site. The company that purchased the land has told these renters that they are not eligible to receive land at the new site. Even those in favor of relocating have qualms about the new site. Facilities are woefully inadequate. The promised new market, clinic and school do not exist. No electricity supply is ready. The area is already flooded even though the rainy season has yet to start in earnest. No sewage system is planned. Only 30 latrines have been built to service the nearly 1,400 families that are due to live there. Each family will receive only a 5 meter by 12 meter dirt plot.

¶4. (U) The morning of May 4, people affected by this relocation began to block trucks coming into and out of the Tonle Bassac site to remove people. Thirty civilian police were then deployed. When they proved ineffective, thirty riot police wielding shields, and armed with electric batons came to the site. The situation then diffused as the riot police used their shields to push through the blockade. No violence occurred.

¶5. (U) On May 5, the relocations continued slowly as workers continue to demolish houses once owners give permission. However, the renters of these houses are now homeless as they are not eligible to receive plots of land at the resettlement site. In some cases, they are refusing to leave to the plot of land where their former home was

situated. The NGO LICADHO offered to provide tents for them but the local authorities denied permission. NGO workers from Community Legal Education Center (CLEC), Friends International, and People Interest Legal Advocacy Program (PILAP) have asked local authorities to halt the evictions until they can survey the number of the renters and the new site is properly constructed. The Governor of Phnom Penh has refused to halt the resettlement barring an order from the Prime Minister. Cambodian Center for Human Rights (CCHR) leader Kem Sokha told us on May 5 that he was trying to reach the PM regarding the Tonle Bassac matter.

¶6. (U) An official from the Sour Srun Company purchasing the land said that he saw no problems. He claimed that the majority of people were happy to leave, and those who were unhappy did not really live there. When asked if he knew when the population had been informed of their relocation, he replied that was the role of the local government.

¶7. (U) A letter, dated April 24, notifying the community of the relocation was posted on one house in the community. The letter was dated only 9 days before the relocation. The letter claimed the relocation notice was a result of proceedings that began April 21. However, local community members and NGOs claimed that the process was done without transparency.

¶8. (U) On May 5, Tonle Bassac community representatives revealed that they had conducted a census of the community in 2002 that counted 1,367 families living in the area. At a later date, however, the local municipal authorities conducted a census that counted 1,216 families. In addition, the two surveys only had about 100 families in common. The municipal authorities are adamant about using their own census for compensating people being relocated in

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spite of the fact the community leaders have produced documents signed by the Sour Srun Company lawyer stating that the community census was to be used.

¶9. (SBU) Comment. Land rights remain a contentious issue in Cambodia and a potentially explosive one. According to NGOs, the Tonle Bassac issue has the makings of a lose-lose situation. Many people will likely be moved but will probably remain at the resettlement site for a few days or weeks, before returning to their livelihoods in the city. The resettlement site will go seriously underutilized, with its land falling into the hands of those who have colluded with municipal authorities. As a result, Phnom Penh's urban poverty problems will only increase with the return of many homeless families. Municipal authorities pay lip service to resettlement guidelines and indeed another resettlement scheme is proceeding much better than the Bassac community scheme, but consistency and minimum humanitarian standards are still lacking.

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